IN THE CLAIMS:

Please amend the claims as follows:

1. (CANCELLED)

2. (CURRENTLY AMENDED) A therapeutic agent delivery implant for implantation into a patient's body, said implant consisting essentially of:

a resilient or flexible, at least partially hydrophobic reticulated elastomeric support foam matrix scaffold formed from a polyurethane polymer ~~or pre-polymer~~; and

a hydrophilic coating arranged on said scaffold,

wherein said coating contains one or more therapeutic agents for release within the patient and wherein at least one of the one or more therapeutic agents is contained within microspheres in the coating.

3. (PREVIOUSLY PRESENTED) The implant of Claim 2, wherein the scaffold comprises at least one therapeutic agent.

4. (CANCELLED)

5. (PREVIOUSLY PRESENTED) The implant of Claim 2, wherein the scaffold is biodurable.

6. (CANCELLED)

7. (CURRENTLY AMENDED) The implant of Claim 2, wherein ~~the coating contains~~ one or more of the therapeutic agents are enzymes.

8. (CANCELLED)

9. (ORIGINAL) The implant of Claim 2, wherein the coating comprises a hydrophilic polyurethane.

10. (CURRENTLY AMENDED) The implant of Claim 2, wherein the one or more therapeutic ~~agent is~~ agents are selected from the group consisting of a pharmaceutical, a growth factor, an enzyme, RNA, DNA, a nucleic acid, and a vector, and mixtures of two or more thereof.

11. (PREVIOUSLY PRESENTED) The implant of Claim 2 which has a hemispherical, bullet, football, cylindrical, spherical, or irregular shape.

12. (ORIGINAL) The implant of Claim 11 which is spaghetti-shaped.

13 to 60. (CANCELLED)

61. (PREVIOUSLY PRESENTED) The implant of Claim 2, wherein the scaffold comprises a biodurable, resilient, compressible, elastomeric reticulated matrix.

62. (CANCELLED)

63. (PREVIOUSLY PRESENTED) The implant of Claim 2, wherein the scaffold can be compressed during delivery and can recover to a working size and configuration *in situ* at the implantation site.

64. (PREVIOUSLY PRESENTED) The implant of Claim 9 which after recovery to a working size and configuration is similar to a size and shape before compression.

65. (PREVIOUSLY PRESENTED) The implant of Claim 9 which can be retrieved and withdrawn from the patient's body.

66. (PREVIOUSLY PRESENTED) The reticulated implant of Claim 2 which allows for substantial fluid permeability, good flow through characteristics and access for body fluid to the drug bearing surfaces.

67. (PREVIOUSLY PRESENTED) The reticulated implant of Claim 2 which facilitates transport of therapeutic agent or that is secured to and/or supported by the scaffold.

68. (CURRENTLY AMENDED) The implant of claim 2, wherein the scaffold ~~material is selected from the group consisting of~~ comprises polycarbonate polyurethane.

69. (CURRENTLY AMENDED) The implant of claim 2, wherein the scaffold comprises material [[is]] selected from the group consisting of polycarbonate polyurethane, or polycarbonate-polysiloxane polyurethanes, polysiloxane polyurethanes, polycarbonate-hydrocarbon polyurethanes, polycarbonate-hydrocarbon polyurethane-ureas, and mixtures of two or more thereof.

70 - 71. (CANCELLED)

72. (PREVIOUSLY PRESENTED) The implant of Claim 2, wherein the coating comprises a foam.

73. (PREVIOUSLY PRESENTED) The implant of Claim 2, wherein the coating comprises a film.

74. (PREVIOUSLY PRESENTED) The implant of Claim 2, wherein the coating comprises a hydrogel.

75. (PREVIOUSLY PRESENTED) The implant of Claim 2, wherein the coating comprises a biodegradable polymer.

76. (PREVIOUSLY PRESENTED) The implant of Claim 2, wherein the coating comprises a non-biodegradable polymer.

77. (CANCELLED)

78. (CANCELLED)

79. (PREVIOUSLY PRESENTED) The implant of Claim 2, wherein the foam matrix scaffold comprises interconnected pores and the average diameter or other largest transverse dimension of the pores is from about 50 μm to about 2000 μm.

80. (PREVIOUSLY PRESENTED) The implant of Claim 79, wherein the average diameter or other largest transverse dimension of the pores is from about 50 μm to about 800 μm.

81. (PREVIOUSLY PRESENTED) The implant of Claim 80, wherein the average diameter or other largest transverse dimension of the pores is from about 100 μm to about 500 μm.

82. (CURRENTLY AMENDED) The implant of Claim 2, wherein ~~the void phase of~~ the foam matrix scaffold [[is]] has a void phase of at least 50% by volume of the volume of the scaffold.

83. (CURRENTLY AMENDED) The implant of Claim [[81]] 82, wherein the void phase of the foam matrix scaffold is from about 70% to about 99% of the volume of the scaffold.

84. (NEW) A therapeutic agent delivery implant for implantation into a patient's body, said implant consisting essentially of:

a resilient or flexible, at least partially hydrophobic reticulated elastomeric support foam matrix scaffold formed from a polyurethane polymer; and

a hydrophilic coating arranged on said scaffold,

wherein said coating contains one or more therapeutic agents for release within the patient and wherein the coating comprises a biodegradable polymer.

85. (NEW) The implant of Claim 84, wherein the scaffold comprises at least one therapeutic agent.

86. (NEW) The implant of Claim 84, wherein the scaffold is biodurable.

87. (NEW) The implant of Claim 84, wherein one or more of the therapeutic agents are enzymes.

88. (NEW) The implant of Claim 84, wherein the coating comprises a hydrophilic polyurethane.

89. (NEW) The implant of Claim 84, wherein the one or more therapeutic agents are selected from the group consisting of a pharmaceutical, a growth factor, an enzyme, RNA, DNA, a nucleic acid, and a vector, and mixtures of two or more thereof.

90. (NEW) The implant of claim 84 which has a hemispherical, bullet, football, cylindrical, spherical, or irregular shape.

91. (NEW) The implant of claim 90 which is spaghetti-shaped.

92. (NEW) The implant of claim 84, wherein the scaffold comprises a biodurable, resilient, compressible, elastomeric reticulated matrix.

93. (NEW) The implant of Claim 84, wherein the scaffold can be compressed during delivery and can recover to a working size and configuration *in situ* at the implantation site.

94. (NEW) The implant of Claim 93 which after recovery to a working size and configuration is similar to a size and shape before compression.

95. (NEW) The implant of Claim 93 which can be retrieved and withdrawn from the patient's body.

96. (NEW) The implant of Claim 84 which allows for substantial fluid permeability, good flow through characteristics and access for body fluid to the drug bearing surfaces.

97. (NEW) The implant of Claim 84 which facilitates transport of therapeutic agent or that is secured to and/or supported by the scaffold.

98. (NEW) The implant of Claim 84, wherein the scaffold comprises poly-carbonate polyurethane.

99. (NEW) The implant of Claim 84, wherein the scaffold comprises material selected from the group consisting of polycarbonate polyurethane, or polycarbonate-polysiloxane polyurethanes, polysiloxane polyurethanes, polycarbonate-hydrocarbon polyurethanes, polycarbonate-hydrocarbon polyurethane-ureas, and mixtures of two or more thereof.

100. (NEW) The implant of Claim 84, wherein the coating comprises a foam.

101. (NEW) The implant of Claim 84, wherein the coating comprises a film.

102. (NEW) The implant of Claim 84, wherein the coating comprises a hydrogel.

103. (NEW) The implant of Claim 84, wherein the coating comprises a non-biodegradable polymer.

104. (NEW) The implant of Claim 84, wherein the foam matrix scaffold comprises interconnected pores and the average diameter or other largest transverse dimension of the pores is from about 50 μm to about 2000 μm.

105. (NEW) The implant of Claim 104, wherein the average diameter or other largest transverse dimension of the pores is from about 50 μm to about 800 μm.

106. (NEW) The implant of Claim 104, wherein the average diameter or other largest transverse dimension of the pores is from about 100 μm to about 500 μm.

107. (NEW) The implant of Claim 84, wherein the foam matrix scaffold has a void phase of at least 50% by volume of the volume of the scaffold.

108. (NEW) The implant of Claim 107, wherein the void phase of the foam matrix scaffold is from about 70% to about 99% of the volume of the scaffold.

109. (NEW) A therapeutic agent delivery implant for implantation into a patient's body, said implant consisting essentially of:

a resilient or flexible, at least partially hydrophobic reticulated elastomeric support foam matrix scaffold formed from a polyurethane polymer selected from the group consisting of polycarbonate polyurethane, or polycarbonate-polysiloxane polyurethanes, polysiloxane polyurethanes, polycarbonate-hydrocarbon polyurethanes, polycarbonate-hydrocarbon polyurethane-ureas, and mixtures of two or more thereof; and

a hydrophilic coating arranged on said scaffold,

wherein said coating contains one or more therapeutic agents for release within the patient.

110. (NEW) The implant of claim 109, wherein the scaffold comprises polycarbonate polyurethane.